

UNITED STATES DISTRICT COURT
for the
District of Oregon

United States of America)	
v.)	
)	Case No. 3:23-mj-00003-1
OSCAR ESCOBAR MARTINEZ,)	
)	
)	
)	

Defendant(s)

**CRIMINAL COMPLAINT
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 4, 2023 in the county of Multnomah in the
District of Oregon, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1), (b)(1)(A)(viii)	Possession with intent to distribute controlled substances (Methamphetamine).

This criminal complaint is based on these facts:

See the attached affidavit of DEA Special Agent Santos Reyes

Continued on the attached sheet.

/s/ Signed by telephone
Complainant's signature

Santos Reyes, DEA Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 10:10 a.m./p.m.

Date: 01/04/2023


Judge's signature

City and state: Portland, Oregon

STACIE F. BECKERMAN, U.S. Magistrate Judge

Printed name and title

DISTRICT OF OREGON, ss:

AFFIDAVIT OF SANTOS REYES

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Santos Reyes, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I have been employed as a Special Agent by the Drug Enforcement Administration (DEA) since June 2022. I am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. My current assignment is at the Portland District Office where I am assigned to a DEA federal task force. My formal education includes a Master of Science in Criminology with a focus in Human Behavior. My formal law enforcement training includes successfully completing 26-week Basic Recruit Training at the Denver Police Academy in Denver, Colorado, followed by field training in Denver, Colorado. Also, I have successfully completed Basic Agent Training course at the DEA academy in Quantico, Virginia. I have participated in multiple drug investigations involving controlled purchase operations, surveillance, arrests, interdiction, vehicle tracking, cell phone geo-location techniques, rap and trace orders, and Title III wiretaps. I have interviewed and operated informants, executed search warrants, arrested and interviewed subjects involved in the smuggling and distribution of narcotics, conducted physical surveillance, and utilized electronic and video surveillance. I have also worked with and consulted numerous agents and law enforcement officers who have investigated drug trafficking offenses.

2. As a Special Agent, I have participated in numerous drug investigations as either the lead case agent or as a supporting investigative agent, including in Title III wiretap

investigations. I am familiar with investigations of Drug Trafficking Organizations (hereinafter, “DTOs”), including identifying methods of importation and distribution of controlled substances, and how controlled substances are manufactured, consumed, packaged, marketed, smuggled, and distributed. I am also familiar with various tactics used by DTOs to import drugs into the United States, communicate with members of the DTOs, and arrange for transportation and distribution of drugs.

3. I submit this affidavit in support of a criminal complaint and arrest warrant for:

• **OSCAR ESCOBAR MARTINEZ (“MARTINEZ”)**

for violation of Title 21, United States Code, Sections 841(a)(1), b(1)(A)(viii) possession with intent to distribute methamphetamine (hereinafter the “Target Offense”).

Applicable Law

4. Title 21, United States Code, Sections 841(a)(1) makes it illegal to possess with the intent to distribute methamphetamine, a Schedule II controlled substance. Possession with intent to distribute 500 grams or more of a substance containing a detectable amount of methamphetamine is punishable by 10 years to life imprisonment, a fine of up to \$10 million, and not less than five years’ supervised release.

Sources of Information

5. [REDACTED]

[REDACTED] . [REDACTED]

[REDACTED] .

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Statement of Probable Cause

[REDACTED]

7. [REDACTED]

[REDACTED].

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. Based on my training, experience, and consultations with other Investigators, I know it is common for drug traffickers to suddenly change the transaction location to a nearby side street or non-descript location. This is done to help identify law enforcement surveillance that might be following drug customers. Based on this, I believe MARTINEZ chose this area as a countersurveillance measure, to watch vehicles as they passed in front of MARTINEZ and identify law enforcement personnel.

10. [REDACTED] MARTINEZ indicated he was driving a blue “truck.” Based on my training, experience, and consultations with other Investigators, I know it is common for Spanish-speaking drug traffickers (such as MARTINEZ) to refer to trucks, SUV’s, and vans as “trucks,” even when speaking English with non-Spanish speaking drug associates (such as the CS). Thus, Investigators suspected MARTINEZ was driving a blue truck, SUV, or van.

11.

[REDACTED] the
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

12.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

13.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Investigators Stop MARTINEZ and Seize
Methamphetamine and Blue M30 Pills Suspected to Contain Fentanyl*

15. As MARTINEZ approached the Chevy Impala, Investigators got out of the Chevy Impala wearing identifiable police placards and verbally identified themselves as "Police." Investigators placed MARTINEZ in handcuffs without incident. Upon stopping MARTINEZ, Investigators removed a cellphone from his hand. Investigators later called SP-6912 and this phone rang, confirming MARTINEZ was the user of the phone.

16. Simultaneously to stopping MARTINEZ, other Investigators activated their overhead police lights and maneuvered their vehicles to effectively stop the Honda Pilot SUV. During the vehicle stop, Investigators found a female adult in the driver's seat and an infant in a rear carseat. The female and infant were directed out of the vehicle without incident. The female identified MARTINEZ as her husband.

17. Investigators brought MARTINEZ to the Honda Pilot SUV, where MARTINEZ identified the Honda Pilot as the vehicle he arrived in. Investigators searched the Honda Pilot pursuant to the motor vehicle exception, beginning with a canine sniff conducted by an Oregon State Police (OSP) narcotics detection canine. The canine alerted to the odor of narcotics emanating from a diaper box that was taped shut and wedged between the rear of the driver's seat and the rear passenger's seat. .

18. Investigators opened the box and found it to contain multiple clear, vacuum sealed bags containing a hard white crystalline substance consistent with crystal

methamphetamine. Later field tests indicated a presumptive positive for the presence of methamphetamine. The gross weight of methamphetamine seized from the Honda Pilot, including the packaging, was 7,327.6 grams (15 pounds is approximately 7,327.6 grams). Inside of the cardboard box, Investigators also found two clear plastic bags containing counterfeit oxycodone pills stamped “M-30” suspected of containing fentanyl. The gross weight of the pills seized from the Honda Pilot, including the packaging, was 256.1 grams (2,000 pills is approximately 256.1 grams). Below are photos of the box and seized drugs:



19. During the search, MARTINEZ was provided his rights per Miranda in both Spanish and English from a DEA-issued Advice of Rights card, and MARTINEZ said he understood his rights. After the search, MARTINEZ claimed ownership of the drugs seized from the Honda Pilot SUV, and said the female driver had no knowledge of the drugs in the vehicle, but rather MARTINEZ requested a ride from her to the drug transaction location.

20. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

21. [REDACTED]

22. Based on the foregoing, I believe MARTINEZ violated the Target Offense. Thus, I request the Court issue a federal arrest warrant for MARTINEZ for violation of the Target Offense.

23. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Paul

Maloney, and AUSA Maloney advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Request for Sealing

24. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time is likely to seriously jeopardize the ongoing investigation. Premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

*/s/ Sworn to by telephone
In accordance with Fed. R. Crim. P. 4.1*

Santos Reyes
DEA Special Agent

Sworn to by telephone at 10:10 a.m./p.m. this 4th day of January 2023 in
accordance with Fed. R. Crim. P. 4.1.



HONORABLE STACIE F. BECKERMAN
United States Magistrate Judge